

JEFFREY R. POCARO, Esq.
141 South Avenue, Suite 204
Fanwood, NJ 07023
908-490-1095

HOWARD A. TAYLOR, Esq.
123 S. Broad St.
Suite 1310
Philadelphia, Pa. 19109
215-732-9300

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

	:	
	:	Case No.: 07-110081-ELF
RAFAIL THEOKARY,	:	Chapter 7
	:	
Plaintiff/ Debtor	:	Adversary No.: 09-00051-ELF
Vs.	:	
ERIC ABBATIELLO, d/b/a	:	
ABBATIELLO RACING STABLES;	:	
GAITWAY FARM, INC.;	:	
SHOWPLACE FARMS; TOM SHAY;	:	
and any JOHN DOES (1-10) ENTITIES	:	
OR LEGAL ENTITIES THAT	:	
BECOME KNOWN AFTER FILING	:	

**MOTION FOR DISMISSAL OF A
COMPLAINT WITH PREJUDICE AND FOR
SANCTIONS UNDER RULE 11**

Tom Shay, Eric Abbatiello Stables, Gaitway Farm, Inc. and Showplace Farm, Inc., by and through its attorney, Jeffrey R. Pocaro, Esq., bring this Motion for dismissal of the Complaint with prejudice and for sanctions under Rule 11. Please see attached Certification and Exhibits.

Dated: June 2, 2009

/s/ Jeffrey R. Pocaro, Esq.
Jeffrey R. Pocaro, Esq.
141 South Avenue
Suite #204
Fanwood, NJ 07023
908-490-1095, FAX 908-4900-1099